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SUBJECT: UNGA: CONTINUED CALLS FOR RETURN OF ZELAYA AND
NEGOTIATIONS IN HONDURAS; RESOLUTION ADOPTED IN SUPPORT OF
THE INTERNATIONAL COMMISSION AGAINST IMPUNITY IN GUATEMALA

REF: 06 GUATEMALA 2473

¶1. (U) SUMMARY: In plenary session on October 28, the UN General Assembly (UNGA) met to discuss the political situation in Central America. The plenary focused on the CICIG (the International Commission against Impunity in Guatemala), adopting a resolution, with U.S. co-sponsorship, commending the progress achieved by the CICIG, but calling on Guatemala and the international community to redouble efforts at strengthening the rule of law and defending human rights. Delegations also addressed the continuing crisis in Honduras, calling for the restoration of the ousted Zelaya government, defending the diplomatic sanctity of the Brazilian embassy, and pressing for continued negotiations to resolve the matter. The Permanent Representative of Honduras thanked the U.S. State Department for facilitating negotiations, reminded delegates of the crisis caused by the de facto government, and reserved the right to seek a resolution aimed at preventing elections, should negotiations fail. Reina also accused an Honduran diplomat of having strayed off course for filing proceedings with the International Court of Justice against Brazil for interference in internal matters. Ambassador Wolff said that U.S. officials were currently in Honduras to help resolve the crisis. The following countries delivered interventions: Guatemala, Sweden (on behalf of the European Union and associated countries), Switzerland, Peru, Brazil, Mexico, Canada, Venezuela, Spain, Argentina, El Salvador, Honduras, Costa Rica and the United States. END SUMMARY.

REFLECTIONS ON CICIG AND THE SITUATION IN GUATEMALA

¶2. (U) BACKGROUND: The Government of Guatemala and the United Nations signed an agreement December 12, 2006 to establish an independent UN-led body to combat impunity and to strengthen the rule of law in Guatemala. Under its initial two-year mandate, the International Commission Against Impunity in Guatemala (CICIG) was asked to assist Guatemalan institutions in their investigation and prosecution of crimes committed by members of illegal security groups and clandestine security organizations, a legacy of Guatemala's 36-year armed conflict that ended in 1996 with the UN-brokered peace accords (REFTEL A). The October 28 plenary met in order to reflect on the work of the commission, to debate the findings of the Secretary General's recent report on CICIG (A/64/370), and to consider draft resolution A/64/L.6 (see para 3).

¶3. (U) U.S. CO-SPONSORED RESOLUTION ADOPTED: Draft resolution A/64/L.6 received co-sponsorship from the United States and more than 30 other countries and was adopted without vote by the plenary. The resolution asks the Secretary General to work with the Government of Guatemala in addressing operational challenges faced by CICIG and for the U.N. to enhance the role it plays "in providing effective and efficient assistance to the Commission." It calls on Guatemala

to "persist in and redouble its efforts to strengthen the institutions that buttress the rule of law and the defense of human rights." The resolution also urges donors to continue their support of the CICIG and requests that the Secretary-General continue to update the General Assembly on the body's work.

¶4. (U) GUATEMALA LAUDS THE IMPORTANT ROLE OF CICIG: The Guatemalan Permanent Representative to the U.N. delivered opening remarks reminding delegates that CICIG had been established to comply with its peace accords after Guatemala had "inherited a culture of impunity as a sequel of the conflict." He commented on the Secretary General's report (A/64/370), calling it an "objective assessment" and noted that the achievements thus far have led to the decision to renew the CICIG agreement between Guatemala and the United Nations for another two years. Guatemala reaffirmed the importance of international cooperation in responding to "international groups that operate in impunity", stressed that the draft resolution would not lead to any additional financial implications, and thanked both the Secretary General and the CICIG Commissioner, Carlos Catresana, for their efforts in helping the body to achieve its mandate.

¶5. (U) COUNTRIES PRAISE CICIG ACCOMPLISHMENTS AND ADDRESS CHALLENGES: Sweden commended CICIG for the reputation it has built, noting that the body "is now accepted as a key player in security and justice matters in Guatemala." Canada, seeking to highlight the improved political environment under CICIG, mentioned the recent Supreme Court nomination process, calling it "a step forward." Switzerland asserted that "CICIG has contributed to reinforce the competencies of the prosecution services of Guatemala" and Spain acknowledged

CICIG's good work given that it is "carrying out its task in conditions of great difficulty." El Salvador offered its support for CICIG and noted that it plays a part in establishing regional peace throughout Central America. Numerous countries called on CICIG to play an even greater role and urged the United Nations to help bolster the Commission's capacity and for donors to continue their financial support of the body. Canada emphasized the need for the UN to support CICIG by "guaranteeing the safety and security of the Commission's staff as they undertake their important and often dangerous work." Switzerland and Sweden also underscored the importance of improving protection and security for CICIG staff.

HONDURAS THANKS THE U.S. AMID CALLS TO RESTORE ZELAYA

¶6. (U) COUNTRIES DEMAND RESTORATION OF ZELAYA AND CONDEMN DE FACTO GOVERNMENT: Peru condemned violations and harassment directed against the Brazilian Embassy and called for a "just solution to this serious political situation." Mexico remarked on the important efforts of the OAS and their commission that recently visited Tegucigalpa, promising the OAS will continue its efforts until power is returned to Zelaya and called the measures against the Brazilian embassy "illegal and inhuman." Venezuela remarked on the difficult and violent past of Central America and said the recent coup has "overturned years of strenuous efforts" to reach democracy in Honduras, further declaring that the acts of the de facto government "cannot go unpunished," and suggesting that the perpetrators be brought before international courts. Spain rejected any military solution to the situation in Honduras and offered that the San Jose agreement be implemented. Argentina advocated using multi-lateral efforts to restore the Zelaya government and said that to not do so "would set a terrible precedent." El Salvador warned against holding elections, noting that they would lack both legitimacy and transparency. Costa Rica expressed sadness at the "very tragic disruption" of the democratic process in Honduras and urged the "Spirit of San Jose" to guide the next steps in resolving the crisis.

¶7. (U) BRAZIL ACCUSES DE FACTO GOVERNMENT OF "FLAGRANT AND UNACCEPTABLE VIOLATIONS": The Permanent Representative to the United Nations, Ambassador Maria Luiza Ribiero Viotti, called the measures taken by the coup government against the Brazilian embassy in Honduras "flagrant and unacceptable violations" and stated that the de facto authorities have used tear gas, disrupted basic services, and employed sound and light to inhibit the sleep of those inside the compound. She thanked the international community for having "clearly and forcefully repudiated those aggressions" and declared "it is high time for the de facto authorities to heed the unanimous calls of the international community" and step aside to allow the constitutional order in Honduras to return. Viotti rejected holding elections, noting that "its legitimacy would be seriously compromised" and instead asked only that the de facto government "negotiate in good faith."

¶8. (U) HONDURAS THANKS THE STATE DEPARTMENT FOR ITS SUPPORT: Permanent Representative Ambassador Reina expressed gratitude to the international community for its support during the crisis and thanked the U.S. State Department for its role in moving forward negotiations, noting that they have now reached a "new stage". Reina remained hopeful of the "possibility of concluding an agreement to restore President Zelaya." The Ambassador noted that his country reserves the right to return to the General Assembly to seek a resolution aimed at preventing an election from taking place, but would refrain from doing so until negotiations are complete. Reina cautioned against holding elections, warning that they might be "manipulated by the perpetrators of the coup d'etat."

Ambassador Reina finished on a surprising note, claiming that he had just been informed that the Honduran Ambassador at the Hague had filed an application at the International Court of Justice on behalf of the de facto regime, which suggested that Brazil was interfering in the internal affairs of Honduras. Reina declared - in a fervent and defiant tone - that this individual was not speaking on behalf of Honduras and would be handled appropriately.

¶9. (U) AMBASSADOR WOLFF PLEDGES U.S. SUPPORT TO RESOLVE CRISIS: Ambassador Wolff stressed the need to resolve the situation quickly through peaceful dialogue, and said that U.S. officials are now in Honduras urging both parties to seek a resolution that maximizes the Honduran people's ability to determine their own future. Wolff pointed out that the Honduran people clearly want a functioning democracy and underscored the need solve the crisis in advance of

scheduled November 29 elections.
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